

Exhibit “B”

December 23, 2022 emails regarding process service waiver



MICHAEL LIVINGSTONE <mikeliving40@gmail.com>

Re: [external] Case No. 22-cv-3096-LKG: Livingstone vs. Walden University, LLC (USDC-Md, Baltimore): Defendant Ms. Drzewiecki terminated; attached new Amended Complaint granted; renewed procedural request for waiver of service of new summons, subpoena,...

Bradley, Patricia <Patricia.Bradley@adtalem.com>
To: MICHAEL LIVINGSTONE <mikeliving40@gmail.com>

Fri, Dec 23, 2022 at 1:54 PM

Mr. Livingstone, Walden University does not waive formal service of process.

Regards,

Patricia L. Bradley | *Vice President, Sr. Associate General Counsel*

T (312) 651-1404 E patricia.bradley@adtalem.com

500 West Monroe | 28th Floor | Chicago, IL 60661 | adtalem.com

To Report Ethics Concerns Anonymously: [Click Here](#)



From: MICHAEL LIVINGSTONE <mikeliving40@gmail.com>

Date: Friday, December 23, 2022 at 8:31 AM

To: Bradley, Patricia <patricia.bradley@adtalem.com>

Subject: [external] Case No. 22-cv-3096-LKG: Livingstone vs. Walden University, LLC (USDC-Md, Baltimore): Defendant Ms. Drzewiecki terminated; attached new Amended Complaint granted; renewed procedural request for waiver of service of new summons, subpoena, bec...



MICHAEL LIVINGSTONE <mikeliving40@gmail.com>

Case No. 22-cv-3096-LKG: Livingstone vs. Walden University, LLC (USDC-Md, Baltimore): Defendant Ms. Drzewiecki terminated; attached new Amended Complaint granted; renewed procedural request for waiver of service of new summons, subpoena, because of "amended" complaint attached.

MICHAEL LIVINGSTONE <mikeliving40@gmail.com>
To: "Bradley, Patricia" <patricia.bradley@adtalem.com>

Fri, Dec 23, 2022 at 9:30 AM

December 23, 2022

Via email: Patricia.Bradley@adtalem.com

Patricia L. Bradley, Esquire
Vice President, Sr. Associate In-house General Legal Counsel for
Walden University, LLC & Adtalem Global Education, Inc
500 West Monroe, 28th Floor
Chicago, Illinois 60661

Ms. Bradley:

Re:

Case No. 22-cv-3096-LKG: *Livingstone vs. Walden University, LLC* (USDC-Md, Baltimore): Defendant Ms. Drzewiecki terminated, new Amended complaint granted; renewed procedural request for waiver of service of new summons, subpoena, because of *amended* complaint attached.

This email comes to you because you have expressly identified yourself to me as legal counsel for defendant Walden University, LLC in this pending action. Because of attached amendments and recent orders of the U.S. District Court (ECF No.19) by the newly assigned U.S. District Judge to this case, Honorable Lydia Kay Griggsby, we have to do this again as a procedural requirement before I execute process service. Pursuant to Rule 4 of Federal Rules of Civil Procedure, please reply to this email expressly stating whether you waive or decline to waive process service of these attached documents:

1. New Summons against Walden University, LLC (ECF No. 21);
2. Newly Amended Complaint and its Exhibits A-F (ECF No.20); and
3. Subpoena upon Walden University to produce documents (ECF No.13).

The attached case management orders for Chambers of U.S. District Judge Honorable Lydia K. Griggsby (ECF No.18) are required to be included in the process service of summons. Please note that all the attached are exact true copies of publicly-filed court documents in this case, as evidenced by the court's electronic filing scans in blue on the headers of every page. The most current docket sheet is attached.

Please note that the consequence for not completing the attached waiver of service is proscribed in Federal Rules of Civil Procedure 4(D)(2)(A-B) that says this:

(2) *Failure to Waive*. If a defendant located within the United States fails, without good cause, to sign and return a waiver requested by a plaintiff located within the United States, the court must impose on the defendant:

(A) the expenses later incurred in making service; and (B) the reasonable expenses, including attorney's fees, of any motion required to collect those service expenses.

If you decline to sign the waiver of service of summonses, then a professional process server will serve the summons through the registered agent and you will be required to pay the costs of hiring the process server.














As new development, the court's recent order attached (ECF No.19) granted my motion to file an amended complaint and letter to the District Judge (ECF No.17) in which I also briefed the court to terminate defendant Ms. Drzewiecki as co-defendant because in her official capacity and agent of Walden University, LLC, her conduct within the scope of her employment did not *pierce the corporate veil* for individual liability. Defendant Walden University, LLC and its parent Adtalem are "vicariously liable" for the conduct of Ms. Drzewiecki. Thus, Ms. Drzewiecki is terminated as co-defendant in this action by order of court and the attached docket sheet also reflects this. In due course of this case, I will subpoena Ms. Drzewiecki. I did not name Adtalem as a defendant.

I am ready to execute Rule 4 Process Service of the attached amended complaint, subpoena, and procedural orders, upon the only defendant Walden University, LLC in this matter, if you reply that you decline to waive process service. Please state categorically whether you waive or decline to waive process service.

Thank you.

Sincerely,
/s/Michael O. Livingstone
Plaintiff, *Pro se*.

16 attachments

-  **ECF No. 20. Amended Complaint. Corected initial complaint to be served..pdf**
600K
-  **Exhibit A to complaint. ECF No.20-1.pdf**
1280K
-  **Exhibit B to complaint. ECF No.20-2.pdf**
192K
-  **Exhibit C to complaint. ECF No.20-3.pdf**
188K
-  **Exhibit D to complaint. ECF No. 20-4.pdf**
305K
-  **Exhibit E to complaint. ECF No.20-5.pdf**
200K
-  **Exhibit F to complaint. ECF No. 20-6.pdf**
350K
-  **ECF No. 17. Plaintiff's Letter to Honorable Judge Griggsby.pdf**
131K
-  **Summons against Walden University. New. ECF No.21. .pdf**
302K
-  **Current Docket Sheet as of December 23.2022.pdf**
112K
-  **ECF No.19. Recent Order by District Judge Grissby granting leave to amend complaint and issue subpoena and summons terminating Ms. Drzewiecki.pdf**
112K
-  **ECF No.13. Subpoena to be Served.pdf**
324K
-  **ECF No. 18. Case Mangement Order by District Judge Hon. Griggsby. 12.22.22.pdf**
213K



Waiver of the Service of Subpoena. upon Walden University, LLC.pdf

117K



1. Waiver of the Service of Summons. for Walden University, LLC (1).pdf

112K



ECF No. 15. consent to be assigned to District Judge, standing order, case management order.pdf

203K